



## Creating a Government

From the Articles of Confederation to the Constitution


(Pages 198-267)



Name: \_\_\_\_\_ Section: \_\_\_\_\_ Date: \_\_\_\_\_



## **Vocabulary**

- 1. Articles of Confederation**
  - 2. Constitution**
  - 3. bill of rights (Lower Case)**
  - 4. Shays' Rebellion**
  - 5. Virginia Plan**
  - 6. New Jersey Plan**
  - 7. Executive Branch**
  -  **8. Legislative Branch**
  - 9. Judicial Branch**
  - 10. Senate**
  - 11. House of Representatives**
  - 12. Separation of Powers**
  - 13. Ratify**
  - 14. Bill of Rights (Upper Case)**
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## I. The Articles of Confederation

- a. The 2<sup>nd</sup> Continental Congress officially declared that the 13 states were independent from England on July 4<sup>th</sup>, 1776.
- b. Because independence was declared in the middle of the Revolutionary War, each state had to quickly organize a government to provide order and stability.
  - i. Most states wrote constitutions that outlined the powers of their state's government and the rights of their state's citizens.
    1. Some states constitutions even included a bill of rights to guarantee certain rights to the citizens of the state.
- c. In addition to declaring independence and managing a war, during the 2<sup>nd</sup> Continental Congress (1777) delegates from each state also had to work together to create a national government.
  - i. The national government they created is called the Articles of Confederation.
    1. The Articles of Confederation created a loose alliance of 13 individual states.
      - a. The states acted more like 13 small countries rather than one united country.

ii. How the Articles worked

1. Under the Articles the national or federal government only had one branch. That one branch was a legislative branch called Congress.
  - a. Each state elected representatives, called delegates, to represent them in Congress.
  - b. In congress each state had one vote regardless of size.
  - c. 9 of 13 states were needed to pass a law.
2. Under the Articles there was no President or Supreme Court.

iii. Problems with the Articles of Confederation

1. Under the Articles the national government was very weak.
  - a. Weaknesses of the Articles:
    - i. Could not enforce laws
    - ii. Could no control trade between states or between states and foreign countries
    - iii. Could not tax
    - iv. Could not raise an army
    - v. No way to settle disputes between states
  - b. The national government was purposely made weak because many colonists feared a strong national government.

iv. Shays' Rebellion and the downfall of the Article of Confederation

1. After the Revolution the United States faced an economic depression
2. Farmers were hit the hardest
  - a. Could not pay back loans or pay taxes
3. In Massachusetts farms were being repossessed by courts.
4. In 1786, farmer and Revolutionary War veteran Daniel Shay organized a rebellion.
  - a. During Shays' Rebellion over 1,000 farmers marched on court houses to prevent the courts from seizing any more farms.
  - b. The national government was powerless to act. The Massachusetts state government needed to send the state militia to put down the rebellion.
5. Shays' Rebellion convinced many people around the country that the Articles of Confederation were to weak and did not work.
  - a. In May of 1787 a convention was called in Philadelphia to revise the Articles of Confederation

## II. The Constitutional Convention

- a. The Constitutional Convention opened in Philadelphia on May 25th, 1787.
- b. The purpose of this convention was to revise the Articles of Confederation
- c. The convention was held in the Pennsylvania State House now called Independence Hall.
- d. An amazing assembly
  - i. Every state except Rhode Island sent delegates
  - ii. 55 delegates total
    1. Notable attendees
      - a. George Washington (Elected conventions President)
      - b. Benjamin Franklin (Oldest at 81)
      - c. James Madison
      - d. Alexander Hamilton
      - e. Roger Sherman
    2. Notable Absentees
      - a. Thomas Jefferson
      - b. John Adams
      - c. Sam Adams
      - d. Patrick Henry
    3. 8 were signers of the Declaration of Independence
    4. 41 had served in the Continental Congress
    5. All took part in the Revolution
    6. 29 served in the Continental Army
    7. 35 were lawyers

8. 12 owned slaves
9. All were well educated
10. 1 was an ordained minister
11. 7 were not born in the United States/colonies

e. Atmosphere of the Convention

- i. The convention was held in a time of concern throughout the country
- ii. Philadelphia was buzzing with rumors and excitement about what the convention was up to.
- iii. For security purposes guards were stationed at the doors and even though it was a hot and humid summer the windows were kept closed to keep outsiders from hearing what was going on.
- iv. All conversations were kept secret so each delegate could talk freely without pressure from outside sources.

f. Two Rival Plans

- i. Early in the Convention the delegates realized they would need to do away with the Articles of Confederation and start with a totally new government.
- ii. Two opposing plans for the setup of the new government emerged.
  1. Each plan was based on the idea of separation of powers.
    - a. The idea of separation of powers was designed to keep any one person or group from becoming too powerful by dividing the powers of the government into several parts.

## 2. Virginia Plan

- a. Proposed by James Madison and Edmund Randolph of Virginia
- b. Called for a STRONG national government with 3 branches.

### *i. Legislative Branch*

- 1. Job was to make laws
- 2. Called Congress
- 3. Made up of 2 “houses”
  - a. Senate
  - b. House of Representatives
    - i. Both houses would need to agree to pass a law.
    - ii. A states representation in both houses was based on its population.
    - iii. States with larger populations (Va, Pa, Ny) would have more power than states with small populations.

### *ii. Executive Branch*

- 1. Job was to enforce laws
- 2. Headed by a President

### *iii. Judicial Branch*

- 1. Job was to decide if laws were fair
- 2. Consisted of a Supreme Court



### **3. New Jersey Plan**

- a. Small states opposed the Virginia Plan. They feared it would give large states too much power in Congress. They came up with their own plan called the New Jersey Plan.
- b. The New Jersey Plan called for 3 branches of government just like the Virginia Plan.
- c. The only difference was in the legislative branch.
- d. Under the New Jersey Plan, the legislative branch would have one house and each state, regardless of population, would be equal with one vote.

### **4. The Great Compromise**

- a. No agreement between the two plans could be reached. Delegates threatened to leave the Convention.
- b. Finally, Roger Sherman of Connecticut proposed a solution.
- c. Sherman called for a government with three branches.
- d. The Executive and Judicial Branches would remain the same, the only branch that would be effected would be the Legislative Branch.
- e. Sherman called for a Legislative Branch with two houses, a Senate and a House of Representatives.

- i. In the Senate each state would be equal.
    - 1. Each state would get 2 votes regardless of population.
    - 2. This pleased small states
  - ii. In the House of Representatives, representation would be based on population.
    - 1. The more people a state has the more votes it would get.
    - 2. This pleased large states.
- f. On July 16, 1787 the Convention narrowly approved Sherman's compromise and the Convention could continue.
- g. Compromising on the Issue of Slavery
  - i. Just as large and small states disagreed, northern and southern states disagreed over the issue of slavery.
  - ii. Southern states wanted to count slaves as part of their population.
    - 1. This would give southern states higher populations and more power in the House of Representatives.

- iii. Northern states did not think Southern states should be able to count slaves.
  - 1. Northern states argued that since southern states did not grant slaves rights or allow them to vote they should not be counted toward their population.
- iv. Once again, the delegates compromised
  - 1. Southern states could count 3/5 of their slaves towards their population for the purposes of representation.
    - a. EX: If a state had 5,000 slaves, 3,000 of those slaves could be counted toward the state's population.
- v. This compromise became known as the Three-Fifth Compromise.
- h. Signing and Ratifying the Constitution
  - i. The Constitution was finally signed on September 17th, 1787.
  - ii. Before the Constitution could go into effect and replace the Articles of Confederation, 9 of the 13 states needed to approve it.
  - iii. Each state would vote whether or not to adopt it.
    - 1. Those in favor of the new Constitution were called Federalists
      - a. Favored the new stronger national government

- b. James Madison, Alexander Hamilton and John Jay wrote a series of essays called the Federalists Papers that explained the Constitution.
    - i. They were published in newspapers.
- 2. Those who opposed the Constitution were called Antifederalists.
  - a. Antifederalists feared that the Constitution made the national government too strong and it would abuse their rights
  - b. Many Antifederalists wanted a bill of rights to be added to protect their freedoms.
- 3. On December 7th, 1787, Delaware became the first state to ratify the Constitution.
- 4. Pennsylvania became the second state to ratify the Constitution on December 12th.
- 5. The Constitution was officially adopted after New Hampshire ratified on June 21st, 1788.
- 6. The Bill of Rights would be added in January of 1789 to appease many Antifederalists.